

## Agricultural Marketing Service, USDA

## § 1209.21

### § 1209.8 Importer.

*Importer* means any person who imports, on average, over 500,000 pounds of mushrooms annually from outside the United States.

### § 1209.9 Industry information.

*Industry information* means information and programs that will lead to the development of new markets and marketing strategies, increased efficiency, and activities to enhance the image of the mushroom industry.

### § 1209.10 Marketing.

(a) *Marketing* means the sale or other disposition of mushrooms in any channel of commerce.

(b) *To market* means to sell or otherwise dispose of mushrooms in any channel of commerce.

### § 1209.11 Mushrooms.

*Mushrooms* means all varieties of cultivated mushrooms grown within the United States and marketed for the fresh market, or imported into the United States and marketed for the fresh market, except such term shall not include mushrooms that are commercially marinated, canned, frozen, cooked, blanched, dried, packaged in brine, or otherwise processed in such manner as the Council, with the approval of the Secretary, may determine.

### § 1209.12 On average.

*On average* means a rolling average of production or imports during the last two fiscal years, or such other period as may be determined by the Secretary.

### § 1209.13 Part and subpart.

*Part* means this mushroom promotion and research order and all rules and regulations and supplemental orders issued thereunder, and the term *subpart* means the mushroom promotion and research order.

### § 1209.14 Person.

*Person* means any individual, group of individuals, partnership, corporation, association, cooperative, or any other legal entity.

### § 1209.15 Producer.

*Producer* means any person engaged in the production of mushrooms who owns or shares the ownership and risk of loss of such mushrooms and who produces, on average, over 500,000 pounds of mushrooms per year.

### § 1209.16 Programs, plans, and projects.

*Programs, plans, and projects* means promotion, research, consumer information, and industry information plans, studies, projects, or programs conducted pursuant to this part.

### § 1209.17 Promotion.

*Promotion* means any action determined by the Secretary to enhance the image or desirability of mushrooms, including paid advertising.

### § 1209.18 Region.

*Region* means one of the described geographic subdivisions of the production areas described in § 1209.30 (b) or as later realigned or reapportioned pursuant thereto, or the import region described in § 1209.30(c).

### § 1209.19 Research.

*Research* means any type of study to advance the image, desirability, safety, marketability, production, product development, quality, or nutritional value of mushrooms.

### § 1209.20 Secretary.

*Secretary* means the Secretary of Agriculture of the United States or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in the Secretary's stead.

### § 1209.21 State and United States.

(a) *State* means any of the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

(b) *United States* means collectively the several States of the United States of America, the District of Columbia, and the Commonwealth of Puerto Rico.